

Kentucky Commission on Proprietary Education

Special-Called Meeting Minutes

October 4, 2017

The special called meeting of the Kentucky Commission on Proprietary Education (KCPE) was held at the 300 Building, 300 Sower Boulevard, Frankfort, KY 40601 on Wednesday, October 4, 2017.

COMMISSION MEMBERS PRESENT

Chairman Leonard Napolitano, Deputy Secretary Brad Montell, Chase Bannister, David Floyd, Walter Lee, Sarah Levy, Jonah Mitchell, Debby Mobley, and Lucinda Pease. Quorum Present.

STAFF PRESENT

Misty Edwards, Executive Director for KCPE
Stephanie Belt, Administrative Coordinator from Budget & Administration Office, EWDC
Dave Morris, Division Director for Office of Budget & Administration, EWDC
Josh Hurley, Attorney for Office of Legal & Legislative Services, EWDC
Tess Russell, Attorney Supervisor for Office of Legal & Legislative Services, EWDC
Kelly Thomas, Administrative Assistant, EWDC

GUESTS

Candace Bensel – Kentucky Association of Career College & Schools
Robin Boughey, Larisa Crawley, Marwa Ismail, Christina Cross – MedQuest College
Jodie Spencer – Truck America Training
State Representative Phillip Pratt

CALL TO ORDER

Chairman Leonard Napolitano called the meeting to order at 1:30 p.m. Eastern Time.

OATH OF OFFICE / SWEARING-IN CEREMONY

Representative Pratt swore in new members Lucinda Pease, Dr. Jonah Mitchell and Lt. Col. David Floyd.

Deputy Secretary Montell thanked Representative Pratt for sponsoring House Bill 238. HB 238 received bipartisan support.

ELECTION OF CHAIR

Chairman Napolitano opened the floor for chair. David Floyd was nominated by Deputy Secretary Montell and Leonard Napolitano was then nominated by Debby Mobley. Walter Lee motioned to close the floor for nominations.

A vote was taken and David Floyd was elected as chairman of the commission as noted below.

Votes for Mr. David Floyd	Votes for Mr. Leonard Napolitano
Deputy Secretary Montell	Debby Mobley
Jonah Mitchell	Walter Lee
Chase Bannister	Leonard Napolitano
Sarah Levy	
David Floyd	

Lucinda Pease abstained from voting.

ELECTION OF VICE-CHAIR

As the newly elected chairman, Mr. Floyd, opened up the floor to nominations for vice-chair. Deputy Secretary Montell nominated Jonah Mitchell. With no other nominations, Mr. Floyd asked for a motion that the floor be closed for nominations. Walter Lee motioned to close the floor for nominations.

A vote was taken and Jonah Mitchell was appointed as vice-chair of the commission.

COMMITTEE APPOINTMENTS

Chairman Floyd appointed committee chairs and made committee assignments as follows:

Complaint Committee

- Walter Lee, Chair
- David Floyd
- Jonah Mitchell
- Gerria Berryman

Budget Committee

- Jonah Mitchell, Chair
- David Floyd
- Leonard Napolitano
- Debby Mobley
- Cindy Landry

Process Committee

- David Floyd, Chair
- Deputy Secretary Brad Montell
- Sara Levy
- Councilor Bannister
- Lucinda Pease

MINUTES

A motion was made by Deputy Secretary Montell to approve the June 28, 2017 minutes as presented. Lucinda Pease seconded the motion. Motion carried.

Executive Director's Report

The audit for FYE 6/30/2017 and FYE 6/30/2016 was conducted the last week of August. We are still waiting on the report. Once submitted, we will present the audit reports to the full commission.

Financial Reports (June 2017, July 2017, August 2017 and September 2017)

- The ending cash balance for the year was \$492,296.02; that was after giving back \$25,000 to help balance the state budget.
- The cabinet began charging for legal services starting in August. There is a charge of \$756.00 for 17 hours in August which needs to be approved. Tess Russell recommended that the cabinet's legal department enter into an MOA with the Commission that sets a per month cap. Then if there is an extraordinary work assignment during a particular month, Legal and the Commission can discuss and agree upon additional hours. Ms. Russell has been serving as the Commission's attorney since Amy Howard retired, but Josh Hurley has been transitioning in and will take over for Ms. Russell.

- In the past, Clay Lamb was the attorney who advised on regulation amendments and filings for the Process Committee. Ms. Lamb will be continuing in that capacity, and the Commission will be charged for her services.
- Stephanie Belt will be transitioning to work with other agencies in the cabinet. Greg Rush will be taking over working with the Commission, and Dave Morris will be filling in when he is not available.
- Mr. Napolitano thanked Debby Mobley and Cindi Landry for their fiscal foresight and diligence in restructuring and reassessing the fee structure in anticipation of future expenditures.

Leonard Napolitano motioned to accept the financial report. Debby Mobley seconded. Motion carried.

APPLICATION TO AWARD AN ASSOCIATE'S DEGREE

The following application was submitted for the Commission's review and approval:

- MedQuest College, Louisville, KY
 - Biomedical Equipment Technology, Associates of Applied Science

Sarah Levy noted that there was insufficient documentation for two instructors, Christina Cross and Joseph Dawson. In addition, Ms. Levy was not able to document the existence of the institution that Mr. Dawson attended. Chairman Floyd recommended that the application be tabled until the next meeting to allow the college to provide the missing documentation.

ACTION: Debby Mobley motioned to table the application from MedQuest College until the next meeting. Leonard Napolitano seconded the motion. Motion passed.

APPLICATION TO REVISE AN EXISTING PROGRAM FOR 25% OR MORE

The following application was submitted for the Commission's review and approval:

- Lincoln College of Technology, Nashville, TN
 - Collision Repair & Refinishing Technology, Diploma

A motion was made by Walter Lee to approve the application as submitted. Chase Bannister seconded the motion. Motion passed.

APPLICATION TO REVISE AN EXISTING PROGRAM FOR LESS THAN 25%

The following application was submitted for the Commission's review and approval:

- Lexington Healing Arts Academy, Lexington, KY
 - Personal Fitness Training, Certificate

A motion was made by Deputy Secretary Montell to approve the application as submitted. Walter Lee seconded the motion. Motion passed.

APPLICATION FOR A NEW PROGRAM

The following applications were submitted for the Commission's review and approval:

- Lexington Healing Arts Academy, Lexington, KY
 - Massage Therapy – Blended, Certificate

A motion was made by Leonard Napolitano to approve the application as submitted. Debby Mobley seconded the motion. Motion passed.

- The CE Shop, Inc., Greenwood Village, CO
 - 96-Hour Kentucky Salesperson Pre-License Course, Online Only, Certificate

A motion was made by Deputy Secretary Montell to approve the application as submitted. Leonard Napolitano seconded the motion. Motion passed.

- The CE Shop, Inc., Greenwood Village, CO
 - Kentucky 48-Hour Sales Person Post-License Course, Online Only, Certificate

A motion was made by Walter Lee to approve the application as submitted. Chase Bannister seconded the motion. Motion passed.

APPLICATION TO CHANGE THE LOCATION OF A SCHOOL

The following applications were submitted for the Commission's review and approval:

- The Medical Institute of Kentucky
 - From 624 Edgewood Drive, Nicholasville, KY 40356 to 3333 Frederica Street, Suite 1, Owensboro, KY 42301

A motion was made by Debby Mobley to approve the application as submitted. Walter Lee seconded the motion. Motion passed.

APPLICATION TO CHANGE THE LOCATION OF A SCHOOL (CONTINUED)

- Nurse Aide Education, LLC
 - From 307 Jason Drive, Suite 2, Richmond, KY 40475 to 351 Radio Park Drive, Suite 200, Richmond, KY 40475

A motion was made by Leonard Napolitano to approve the application as submitted. Debby Mobley seconded the motion. Motion passed.

APPLICATION FOR PERMIT TO ACT AS AN AGENT

The following applications were submitted for the Commission's review and approval:

- ATA College, Louisville, KY
 - Greg S. Mattingly
- New Horizons Computer Learning Center – Blue Ash, Cincinnati, OH
 - Samantha S. Meredith
- Lincoln College of Technology, Indianapolis, IN
 - John L. Martin
- Tulsa Welding School / Jacksonville Campus, Jacksonville, FL
 - Donalee McIntosh-Cordova
 - Sonia D. Kettering
 - Christine Kline

- Galen College of Nursing at ARH, Hazard, KY
 - Mary E. Norcia
- Louisville Dental Assistant School, Louisville, KY
 - Gabrielle Wooten
 - Allison A. Kella
- Lincoln College of Technology, Nashville, TN
 - Shaun E. Warner
- HomeServices Real Estate Academy, Louisville, KY
 - Rhonda K. Richardson
- KY Healthcare Training, Lexington, KY
 - Mahogany S. Dobbins
 - Cecilia R. Dickerson
 - Melissa B. May
 - Eric D. Linville
 - Deborah L. Zafren
 - Don M. Gash
- Universal Technical Institute- Motorcycle/Marine Mechanics Institute Division, Orlando, FL
 - Robert F. Douglas
- Universal Technical Institute of Illinois, Lisle, IL
 - Robert F. Douglas
- NASCAR Technical Institute, Mooresville, NC
 - Robert F. Douglas

A motion was made by Lucinda Pease to approve all of the applications for agents as submitted. Deputy Secretary Montell seconded the motion. Motion passed.

NEXT MEETING

The next meeting is scheduled for Wednesday, October 25, 2017 at 1:30 p.m. Eastern Time at 300 Sower Boulevard, Frankfort, KY

COMMITTEE MEETINGS – October 25, 2017 at 300 Sower Boulevard, Frankfort, KY (Room 413)

Complaint Committee at 10:00 a.m. Eastern Time

Budget Committee at 11:30 a.m. Eastern Time

Process Committee at 12:30 p.m. Eastern Time

ADJOURNMENT

A motion was made by Walter Lee to adjourn the meeting. The motion was seconded by Leonard Napolitano. The meeting was adjourned.